

## NDA Submission: Dublin City Council Active Travel Network- interim cycling infrastructure 2023

# Introduction

The National Disability Authority (NDA) would like to thank Dublin City Council (DCC) for reaching out for comment and advice on several projects under the DCC Active Travel Network.

The NDA as an independent statutory body, provides information and advice to the Government on policy and practice relevant to the lives of persons with disabilities. We have a role to assist the Minister for Children, Disability, Equality, Integration and Youth in the co-ordination of disability policy. We work through our [Centre for Excellence in Universal Design](http://universaldesign.ie/) (CEUD) to promote the universal design of the built environment, products, services and information and communication technologies, so that they can be easily accessed, understood and used by everyone, including persons with disabilities.

# DCC Active Travel Network

The DCC Active Travel Network is currently being rolled out through a series of infrastructural projects over the next nine years. DCC states that the Active Travel Network will grow from its existing 10km to a connected network of 310km across the city. It is envisaged that this new network will offer a safer, inclusive and connected Active Travel Network that is sustainable. Currently consultations are open for several projects associated with the Active Travel Network. Rather than commenting individually, the NDA proposes to comment on the project as a whole, while acknowledging specific considerations as part of each of the following projects:

* Ratoath Road
* North Circular Road
* Hanlon’s Corner
* Raheny to Killbarrack
* Killbarrack to Oscar Traynor Road
* East Wall Road – Interim two way cycle facility

The NDA would like to emphasise our support for the ideals of this project. however, we also wish to voice our concern at this juncture about the speed at which changes are being rolled out and at the lack of considered and continuous consultation with key groups affected by these plans, most notably persons with disabilities and Disabled Persons Organisations (DPOs). Each of these proposals has a 6 week consultation period associated with it. As these proposals have significant impact on persons with disabilities, this timeframe is not sufficient for meaningful engagement with DPOs, or stakeholders who may need additional supports or time to participate in consultative processes.

As stated in the [Irish Government’s Public Consultation Guidance](https://assets.gov.ie/5579/140119163201-9e43dea3f4b14d56a705960cb9354c8b.pdf), involving stakeholders from the earliest possible stage in the policy development process will promote transparent and comprehensive participation. Timing and extent of consultations should be determined on a case-by-case basis, but consultations should start as early as possible in order to maximise their impact on policy development, with advance notice given where possible. Sufficient time should be allowed for all relevant stakeholders to become informed, examine the issues, debate/dialogue/consult within their organizations, and develop a response. These guidelines also recommend that officials should be cognisant of the burden that the whole of government may be placing on stakeholder groups. With so many consultations open at once with regards to this network, 6 week consultations may create a burden on DPOs and persons with disabilities to respond. The NDA would advise engagement with DPOs and other stakeholders at a high level with regards to the Active Travel Network- with input from this feedback incorporated into individual projects to minimise this burden.

At present, the NDA can see no evidence of specific early engagement with DPOs and people with disabilities. This lack of consultation and consideration of the needs of persons with disabilities as well as older people and children means that this network may become exclusionary rather than inclusive, and there may be safety impacts which have not been sufficiently considered. The NDA notes some of the possible impacts and barriers in further detail below, such as:

* Prioritisation of cycling infrastructure over the needs of pedestrians which is not in keeping with the Government of Ireland’s [Design Manual for Urban Roads and Streets](https://www.dmurs.ie/_files/ugd/f378bf_18801bacd8084ea996509e20b89727be.pdf) and the hierarchy of road users.
* Lack of Cycling Infrastructure available which would support adapted cycles
* Design of pedestrian crossings of cycle lanes possibly increasing the risk to disabled pedestrians, older people and children crossing the cycle lane. This is particularly acute at bus stops.
* Design of bus stops as part of the Active Travel Network potentially creating more unsafe crossing points
* Moving or removal of accessible parking spaces or changing surrounding environment of these parking spaces
* The proposed introduction of Toucan Crossings

The observations and information provided in this submission are only from the NDA as an advisory body. Therefore, in order to get a full view of the potential safety impacts and barriers consultation with DPOs and disabled people is necessary and we would strongly advise this approach.

As part of this general feedback the NDA wishes to extend an invitation from the NDA and the NDA’s Centre for Excellence in Universal Design (CEUD), as we would be happy to provide further information and advice on legal requirements of public bodies in relation to Part 3 of the Disability Act, the UN Convention on the Rights of Persons with Disabilities (UNCRPD) and other relevant legislation as well as advice on how to roll out infrastructure changes and create universally designed transport infrastructure which serves as wide a range of people as possible. If helpful, we could also arrange a consultative workshop session with Mr Brendan O’Brien and key staff in the Active Travel Department at DCC to provide further detail on the potential barriers and proposed solutions for the Active Travel Network.

DCC have acknowledged that active travel projects associated with this network will take some time to plan and design therefore interim schemes are currently being designed and implemented on these proposed routes in order to pilot proposals and recalibrate as necessary in advance of permanent infrastructure changes. The NDA appreciates that the schemes out for consultation are intended to be in relation to the interim changes, but we advise that any changes to the built environment and transport infrastructure can be incredibly disruptive and even detrimental to many users, including disabled people, older people, and children. Consultation and engagement is key to mitigating any issues or barriers which may be introduced as part of these projects.

# Importance of Accessible Public Transport and Universal Design

Walking and cycling can form an integral part of the transport infrastructure, either as a means of a facilitating a whole journey or to facilitate the first/last mile of a journey using public transport. However, currently for many persons with disabilities, this kind of travel is inaccessible or simply not possible. We would stress that it is vital that DCC aims to make infrastructure for walking and cycling as safe and accessible as possible for persons with disabilities. This commitment should be embedded at policy level and run throughout the DCC Active Travel Scheme.

Transport is key to the economic and social inclusion of persons with disabilities. Inaccessibility of transport- and this includes walking and cycling infrastructure- therefore presents a major barrier for persons with disabilities. Approximately one in ten people with disabilities said that inadequate/inaccessible transport systems prevented them from participating in social events.[[1]](#footnote-1) Inaccessibility in transport infrastructure, and in public spaces in general, means more than just not being able to gain access to physical infrastructure, it presents a real obstacle for autonomy, personal development and participation in a wide range of activities in the community.[[2]](#footnote-2)

About one in six people with a disability who are not in work but who would be interested in a job, cite transport or parking as an issue for them. Those with sight, mobility or intellectual disabilities are most likely to cite transport as an issue for employment.[[3]](#footnote-3) With the move towards policies, strategies and projects which promote active travel, it is important that the needs of people with disabilities are considered to ensure that changes to infrastructure and services are beneficial to all and will allow everyone to participate in active travel, regardless of age, size, ability or disability.

The importance of integrated universally designed public transport services that include the built environment and information and communication technologies is underpinned by **Article 9 of the UNCRPD.** Article 9 states that in order for persons with disabilities to live independently and fully participate in all aspects of life, they need to have access not only to accessible transportation but also to infrastructure, the built environment, information and communication processes and technologies and to other public facilities and services.

Central to delivering universally designed transport services is procurement. If accessibility and universal design are key requirements at the procurement stage, this will remain a central component of design and delivery throughout. The NDA would again like to remind DCC of accessibility in procurement requirements under [S.I. No. 284/2016 - European Union (Award of Public Authority Contracts) Regulations 2016](https://www.irishstatutebook.ie/eli/2016/si/284/made/en/print) in the case of public service and also in all public works contracts. Accessibility of services provided to public bodies is also a requirement under [Section 27 of the Disability Act](https://www.irishstatutebook.ie/eli/2005/act/14/section/27/enacted/en/html).

Disabled persons are greatly affected by all manner of transport infrastructure and should be consulted at early stages of all policy and infrastructure projects. As was highlighted to DCC in our submission on the Kilmainham to Thomas Street Cycle track scheme, consultation with disabled people, in particular with their representative organisations, is a requirement under the **UN Convention on the Rights of Persons with Disabilities (UNCRPD)** which Ireland ratified in 2018. Further information on the requirements under the UNCRPD are detailed within this submission.

Another requirement in terms of considerations of persons with disabilities is the completion of a disability impact assessment. A Disability Impact Assessment is an obligatory requirement of all substantive proposals requiring Government approval as stipulated in The Cabinet Handbook when there is:

• a change in policy;

• the introduction, abolition or significant change in an existing scheme; or

• a decision which impacts on the public at large, or

• on a significant subset of that population.

The NDA advises that while these infrastructure proposals are currently planned to be interim or temporary, the interim cycling infrastructure around the city which has a substantial population would qualify as a substantive proposal.

The NDA advises that DCC conduct and produce a disability impact assessment for all local proposals under the entire cycling infrastructure scheme across the city. A disability impact assessment involves a comprehensive examination of how this proposal impacts on a person with a disability so that fundamental issues are identified early, therefore informing any redesign and delivery of the proposal, to better meet the needs of persons with disabilities. The requirement for conducting this assessment is detailed in the [Cabinet Handbook](https://assets.gov.ie/6813/2a580791a7b24decb97a550539a0faff.pdf).

It is essential for DCC to recognise that all of these projects can impact on the entire population of the area concerned – including older people, disabled people, people with buggies/young children etc. It is therefore vital that the needs of all pedestrians are not only considered, but are central to this scheme. All pedestrians need to be able to navigate in their neighbourhoods and communities easily and safely and the cycle ways need to be planned, designed, and implemented with this understanding at their core. It is also important in the implementation of this scheme that DCC considers the needs of a diverse range of users with regards to the cycle tracks themselves and the interaction between the cycle tracks and pedestrian spaces.

# Infrastructure Considerations

The NDA appreciates that the plans presented in the current roll out of the Active Travel Network are not intended to be permanent, however the NDA would like to stress several key points about this design at this juncture which may cause additional barriers to persons with disabilities.

## Accessible Parking

As part of this active travel network the NDA would like to stress that equal importance be given in plans to the facilitation of the needs of some persons with disabilities who will need to use private cars to complete some or all of their journey. With this in mind, it is important that cycling infrastructure proposed does not remove people’s ability to get to and from their destinations (and park there) using a private car. The NDA would also like to stress that the placement and location of these parking spaces is key- people should not have to leave their car with a cycle track on one side and a road on the other as this poses a significant risk to the safety of people getting into and out of cars, particularly if they need to load and unload things like mobility aids or wheelchairs.

The NDA acknowledges that DCC has stated in current plans there are no changes proposed to accessible parking space provision, however it is important that loading and unloading bays are also retained.

Providing clear and accessible information on any changes to loading and unloading bays and accessible parking spaces (including changes to the surrounding environment) is key to ensuring people are aware of any changes. The CEUD’s [Building for Everyone: a Universal Design Approach](https://universaldesign.ie/Built-Environment/Building-for-Everyone/1-External-Environment.pdf)- External Environment and Approach provides useful guidelines in terms of parking bay specifications. Along with this guidance, consultation, site visits with DPOs and persons with disabilities, workshops and user testing will help ensure that accessible parking provision along all active travel routes is fit for purpose, useful and safe.

## Cycling Infrastructure

Key benefits to this active travel network are stated to be the provision of protected cycling facilities to cater for all ages and abilities. In order to cater for all ages and abilities we would suggest that more consideration be given to the design needs of a wider range of user types and cycle types detailed in this [Inclusive Cycling Guide](https://wheelsforwellbeing.org.uk/wp-content/uploads/2020/12/FC_WfW-Inclusive-Guide_FINAL_V03.pdf)[[4]](#footnote-4) from the UK charity [Wheels for Wellbeing](https://wheelsforwellbeing.org.uk/). Transport for London also have a publication [on Cycling Design Standards](https://content.tfl.gov.uk/lcds-chapter3-streetsandspaces.pdf) which provides information on the general dimensions of different kinds of adapted cycles and associated infrastructural requirements. In considering different types of adapted cycles and cycle trailers this will ensure that the network truly does cater for all ages and abilities.

Consideration should be given to cyclists who are disabled as well as non-disabled users who use non-standard cycles to ensure that the cycle way and the bus stop crossing are suitable for them. This will require consultation and user testing with disabled cyclists, people who use cargo bikes/bike trailers, and others when designing cycle lanes.

## Pedestrian Infrastructure

Even in terms of interim structures, the needs of all road users must be considered. The NDA would like to point out that all projects proposed under the active travel network have a strong emphasis on cycling as part of active travel with less importance placed on pedestrian infrastructure and almost no consideration of the needs of persons with disabilities with regards to active travel. For example, the NDA has seen little to no reference to the Government of Ireland’s [Design Manual for Urban Roads and Streets](https://www.dmurs.ie/_files/ugd/f378bf_18801bacd8084ea996509e20b89727be.pdf) (DMURS) guidance in active travel project documentation. DMURS sets out a hierarchy for designers and planners to consider of road users which places pedestrians at top priority of all planning and design. However, this requirement is not reflected in active travel plans.

The NDA also notes with concern that a number of toucan crossings are included across these schemes. These toucan crossings are proposed to be shared crossings with road markings to delineate between the pedestrian and cycle space. Road markings do not provide adequate protection for pedestrians from cyclists and cannot be perceived by persons with visual impairments. As stated above, the NDA would suggest holding workshops on road crossings for pedestrians and cyclists as well as on bus stop island design to ensure that a wide range of cyclists and pedestrians are able to provide feedback and suggestions on design to ensure these are as safe and inclusive as possible.

This Active Travel Network should aim to address existing barriers to active travel for persons with disabilities (such as inadequate space on pavements and in cycle lanes, uneven pavements and roads, lack of safe pedestrian crossings, no tactile information provided to assist with wayfinding, inadequate signage, no or minimal lighting etc.) and should ensure that no new barriers are created as a result of this scheme.

The NDA would encourage DCC use the Universal [Design walkability audit tool](https://www.nationaltransport.ie/tfi-smarter-travel/walking/walking-tips/) developed by the NDA CEUD along with the National Transport Authority (NTA), Age Friendly Ireland, and Green Schools. This tool, along with specific consultations, can help DCC engage with local communities in advance of roll out of interim infrastructure changes and can also assist in measuring the impact of these interim measures to help inform the best design and implementation of more permanent developments. This can be of particular use in looking at the East Wall Interim 2 way cycling facility, which incorporates some significant changes to infrastructure around St Joseph’s school.

## Bus Stops

The NDA notes with concern that many of the proposals incorporate bus stop island design, which requires pedestrians to cross over the cycle track to access the bus stop. While in the East Wall plans it is mentioned that rumble strips will be included in addition to road markings, it is unclear if this is to be included in other projects, such as the Raheny to Killbarrack route. DCC have made clear that detailed bus stop design will be done at a later phase of the project initiation, the NDA would like to stress again the importance of consultation with regards to bus stop design at this important juncture.

The NDA advises against the requirement for pedestrians to cross over a cycle route to access an island bus stop, this can present a real danger to pedestrians and in particular disabled people, older people and children. For example we strongly recommend the use of traffic signals for cyclists coming up to pedestrian crossings, these can be used in conjunction with other traffic calming measures for cyclists, such as; ramps, narrowing of cycle lanes, alongside rumble strips which are already proposed by DCC as noted above. These measures as are detailed in this document [Getting to the Curb, San Francisco](https://walksf.org/wp-content/uploads/2019/12/getting-to-the-curb-report-final-walk-sf-2019.pdf)[[5]](#footnote-5) which provides several examples of universally designed crossings. Traffic calming for cyclists, as with motorists, is important to ensuring pedestrian safety, particularly coming up to crossing points.

The NDA advises that DCC should also consider design guidance in [CYCLOPS, Manchester](http://www.jctconsultancy.co.uk/Symposium/Symposium2018/PapersForDownload/CYCLOPS%20Creating%20Protected%20Junctions%20-%20Richard%20Butler%20Jonathan%20Salter%20Dave%20Stevens%20TFGM.pdf) on page 7 which provides Guiding Principles for Protected Junctions regarding where there might be some junctions where traffic lights for cyclists would be necessary.

While the guidance suggested above is helpful, the NDA would like to stress that this guidance should be used in conjunction with further consultation as this will help further understanding of how proposed solutions will be used and experienced by disabled people and wider consultation with the public including DPOs and other disability organisations is required to determine a better solution than the current bus stop island design.

# Universally Designed Consultation

The NDA is happy to see that DCC continues to provide textual descriptions of technical drawings in Word format which ensures the plans are more accessible to a wider range of users who may be reviewing these plans in order to provide feedback or input to consultation initiatives.

While it is positive to see textual descriptions provided, the NDA would still like to stress the requirements under S.I. No. 163 of 2006 which refers to the [Code of Practice on Accessibility of Public Services and Information Provided by Public Bodies](https://nda.ie/uploads/publications/Code-of-Practice-on-Accessibility-of-Public-Services-and-Information-Provided-by-Public-Bodies.pdf) which requires public bodies to ensure that information provided to the public is available in accessible formats and that procedures are in place for facilitating and processing requests for accessible formats when required. Another key requirement is the S.I. No. 358/2020 - [European Union (Accessibility of Websites and Mobile Applications of Public Sector Bodies) Regulations 2020](https://www.irishstatutebook.ie/eli/2020/si/358/made/en/print). All information on public body websites must comply with these accessibility requirements. This is very important to consider when designing online consultation information.

Ensuring accessibility of information and consultations is central to meaningful engagement, however, it must be noted that this is also a requirement under the UNCRPD. The UNCRPD outlines obligations on Government for how they include disabled people in the development, implementation and monitoring of policies and legislation and other decision making processes. It applies at the local, national and international level.

Article 4(3) of the UNCRPD states that:

In the development and implementation of legislation and policies to implement the present Convention, and in other decision making processes concerning issues relating to persons with disabilities, States Parties shall closely consult with and actively involve persons with disabilities, including children with disabilities, through their representative organizations.

The NDA has recently published the [Participation Matters Guidelines](https://nda.ie/publications/participation-matters-guidelines-on-implementing-the-obligation-to-meaningfully-engage-with-disabled-people-in-public-decision-making) to assist public bodies with implementing the obligation under the UNCRPD to meaningfully engage with disabled people in public decision making. The NDA would also recommend using the [Universal Design Customer Communications Toolkit](https://universaldesign.ie/products-services/customer-communications-toolkit-for-the-public-service-a-universal-design-approach/customer-communications-toolkit-for-the-public-services-a-universal-design-approach.pdf) as a key reference in designing and delivering information to the public.[[6]](#footnote-6)

We recommend consultations on all aspects of design are done prior to taking a decision to ensure that road changes are likely to serve everyone. In addition, persons with disabilities and older people should be consulted during implementation, to determine how the design is or isn’t meeting their needs, so that future designs can be improved. The NDA would stress that **user testing (piloting)** is an important part of this sustained engagement process. This should be a key consideration for all infrastructure projects associated with the cycling network being rolled out across Dublin and should be easy to facilitate as interim infrastructure is being used.

Accessible information will help people understand what exactly is being proposed and why their opinions are being sought as well as how and when they can engage with the process. This can help ensure greater engagement from persons with disabilities, disabled persons organisations (DPOs) and older people and may reduce the need for costly redesigns and retrofitting in future.

The NDA notes that as part of the plans detailed in the Active Travel Network, there are several significant changes to pedestrian infrastructure, such as moving traffic signals and pedestrian island redesign, as well as the modification of kerb lines and updates to tactile pavement. The NDA would like to point out that new infrastructure design features such as new pedestrian crossings and cycle tracks will not necessarily be familiar to both pedestrians and cyclists who may otherwise be familiar with the area. Therefore, as part of consultations with the public, the DCC should be working to educate all users regarding the appropriate use of cycle paths, crosswalks and other new design features.

The NDA would like further information on how changes are going to be communicated to residents. This consultation and education process should be continuous, all communications should be universally designed and should inform people following design changes as well, providing demonstrations around the changes.

# Conclusion

On a final note, **Article 9 of the UN Convention on the Rights of Persons,** states that in order for persons with disabilities to live independently and fully participate in all aspects of life, they need to have access not only to accessible transportation but also to infrastructure, the built environment, information and communication processes and technologies and to other public facilities and services.

As this Active Travel Network will have a significant impact on new and existing infrastructure such as cycle tracks and associated links to transport (either through active travel or public transport) this project has significant impact for persons with disabilities across Dublin, particularly in relation to travel and transport. DCC should consider the impact this project will have on the rights of persons with disabilities, particularly in reference to Article 9.

As mentioned above, the NDA is happy to meet with DCC to discuss this submission, proposed workshops, and the associated recommendations with regards to the Active Travel Network and associated projects. We strongly believe that through consideration of the guidance provided as well as through continued engagement and consultation with a wide range of stakeholders that the Active Travel Network can work for everyone, while disadvantaging no one.

1. National Disability Survey (2006) Vol. 2, Table 7.30 [↑](#footnote-ref-1)
2. Kapsalis et al (2022)Disabled-by-design: effects of inaccessible urban public spaces on users of mobility assistive devices – a systematic review [↑](#footnote-ref-2)
3. National Disability Survey (2006) Vol. 2, Table 7.30 [↑](#footnote-ref-3)
4. <https://wheelsforwellbeing.org.uk/wp-content/uploads/2019/06/FINAL.pdf> [↑](#footnote-ref-4)
5. <https://walksf.org/wp-content/uploads/2019/12/getting-to-the-curb-report-final-walk-sf-2019.pdf> [↑](#footnote-ref-5)
6. This toolkit is undergoing an update, the current version is available at: <http://universaldesign.ie/products-services/customer-communications-toolkit-for-the-public-service-a-universal-design-approach/> [↑](#footnote-ref-6)